

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference PCT/GB2004/000789	<b>FOR FURTHER ACTION</b> see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/GB2004/000789	International filing date (day/month/year) 27/02/2004	(Earliest) Priority Date (day/month/year) 22/04/2003
Applicant BESPAK PLC		

This International Search Report has been prepared by the International Searching Authority and is transmitted to the applicant according to Article 15. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 7 sheets

☒ It is also accompanied by a copy of each prior art document cited in this report.

## I. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I

2. ☒ Certain claims were found unsearchable (See Box III)

3. ☐ Unity of invention is lacking (see Box III)

4. With regard to the title,

☒ the text is approved as submitted by the applicant.  
☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☐ the text is approved as submitted by the applicant.  
☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regards to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. 1

☒ as suggested by the applicant  
☐ as selected by this Authority, because the applicant failed to suggest a figure.  
☐ as selected by this Authority, because this figure better characterizes the invention

- b. ☐ none of the figures is to be published with the abstract.

# INTERNATIONAL SEARCH REPORT

international application No.

PCT/GF0304/040789

## Box No. IV Text of the abstract (Continuation of item 5 of the first sheet)

The present invention relates to a dispensing apparatus (1) comprising a housing (3) and a metering tube (7). The metering tube (7) has an opening (17) to the interior thereof and the housing (3) has a chamber (4) therein for storing medicament. The metering tube (7) is extendable to a dispensing position, and retractable to a filling position. The opening (17) is in communication with the chamber (4) when the metering tube is in the filling position. The invention further relates to a method of operating dispensing apparatus.

## INTERNATIONAL SEARCH REPORT

International Application No.

PCT/GB2004/000789

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61M15/00 G01F11/16 G01F11/02

According to International Patent Classification (IPC) or to both national classification(s) (NCL)

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61M G01F G01B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Description of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 02/26299 A (SCHUCKMANN ALFRED VON) 4 April 2002 (2002-04-04) page 6, line 195 -page 19, line 641 figures ---	1,7-9
X	US 4 394 941 A (RECINE GIUSEPPE) 26 July 1983 (1983-07-26) column 1, line 5-10 column 2, line 16 -column 4, line 11 figures ---	1
A	---	2-6
X	US 3 049 269 A (ALAN GAWTHROP) 14 August 1962 (1962-08-14) the whole document ---	1,9
X	US 1 233 791 A (KAISER CHARLES) the whole document ---	1
	--- -/-	



Further documents are listed in the continuation of box C



Patent family members are listed in annex

\* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"I" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another claim or other special reason (as specified)

"O" document relevant to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"I" later document published after the international filing date or priority date but not in conflict with the application filed aimed to understand the principle or theory underlying the invention

"X" document of particular relevance, the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance, the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&amp;" document member of the same patent family

Date of the actual completion of the international search

18 May 2004

Date of mailing of the international search report

02/06/2004

Name and mailing address of the ISA

European Patent Office, P.O. 4018 Patenthaus 2  
NL - 2280 HV Rijswijk  
Tel: (+31-70) 340-2040, Fax: (+31-70) 340-2046  
Fax: (+31-70) 340-3046

Authorized officer

Azaizia, M

## INTERNATIONAL SEARCH REPORT

International Application No.  
PCT/GB2004/000789

## C. (Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Location of document with indication, where appropriate, of the relevant passages	Relevant to claim for
A	GB 1 025 245 A (MERCK & CO INC) 6 April 1966 (1966-04-06) page 4, line 2 -page 5, line 2 page 5, line 84 -page 6, line 54 figures ---	1,7-9
A	WO 93/02729 A (HABLEY MEDICAL TECHNOLOGY CORP) 18 February 1993 (1993-02-18) the whole document ---	1-9
A	FR 2 727 670 A (OREAL) 7 June 1996 (1996-06-07) the whole document ---	1-9
A	US 2002/017536 A1 (BONNINGUE PHILIPPE) 14 February 2002 (2002-02-14) the whole document -----	1-9

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box II.2

Claims Nos.: 16,17

Claims 16 and 17 rely, in respect of the technical features of the invention, on references to the description or drawings (Rule 6.2 (a) PCT). The subject-matter of these claims is therefore so unclear that a meaningful search is impossible (Article 6 PCT).

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

# INTERNATIONAL SEARCH REPORT

International Application No.  
PCT/GB2004/000789

## Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

- 1 ☒ Claims Nos.: 10-15  
because they relate to subject matter not required to be searched by this Authority, namely:  
Rule 39.1(iv) PCT - Method for treatment of the human or animal body by therapy
- 2 ☒ Claims Nos.: 16, 17  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
- 3 ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

- 1 ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
- 2 ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
- 3 ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
- 4 ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.  
☐ No protest accompanied the payment of additional search fees.

## INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GR2004/000789

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 0226299	A	04-04-2002	DE 10047722 A1	11-04-2002
			AU 8988201 A	08-04-2002
			WO 0226299 A1	04-04-2002
			EP 1320396 A1	25-06-2003
			US 2004035421 A1	26-02-2004
US 4394941	A	26-07-1983	NONE	
US 3049269	A	14-08-1962	GB 878409 A	27-09-1961
US 1233791	A		NONE	
GB 1025245	A	06-04-1966	US 3157179 A	17-11-1964
			DE 1287260 B	16-01-1969
			FR 1374533 A	09-10-1964
			NL 297349 A	
			SE 317467 B	17-11-1969
WO 9302729	A	18-02-1993	WO 9302729 A1	18-02-1993
FR 2727670	A	07-06-1996	FR 2727670 A1	07-06-1996
US 2002017536	A1	14-02-2002	FR 2809088 A1	23-11-2001
			CA 2348105 A1	19-11-2001
			EP 1156300 A1	21-11-2001
			JP 3462862 B2	05-11-2003
			JP 2002087478 A	27-03-2002

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